

REMARKS

In the Office Action the Examiner objected to the disclosure because the illustration on page 2 does not comply within the exception of 37 CFR §1.58(a), which requires, *inter alia*, that the specification, including the claims, may contain chemical and mathematical formulae, but shall not contain drawings or flow diagrams. The Examiner recommended that the illustration on page 2 be deleted from the Specification and furnished pursuant to 37 CFR §1.81 in addition to amending the text references as necessary.

In response to the Examiner's objection to the disclosure Applicant has amended the Specification. The Specification has been amended by replacing the last full paragraph starting on page 1 and continuing on page 2 including the Graph and first full paragraph starting on page 2 and continuing on page 3 with replacement paragraphs having amended text directed to the location of the graphical illustration presented in Figure 4. No new matter has been added.

In view of the amendment to the Specification, applicant submits herewith the "illustrations," i.e., the graph previously presented on page 2 of the Specification, as Figure 4. Additionally, Applicant has amended the Specification to include a description of Figure 4. A new paragraph (presented herein above) has been added in the Brief Description Of The Drawings section on page 5 of the originally filed Specification. No new matter has been added.

Early and favorable action is earnestly solicited. The Examiner is invited to contact the undersigned to discuss any still outstanding matters.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter J. Fallon", written in a cursive style.

Peter J. Fallon
Registration No. 58,331

April 30, 2009

MAILING ADDRESS

LOCKE LORD BISSELL & LIDDELL, LLP

885 Third Avenue, 26th Floor

New York, N.Y. 10022-4802

P (212) 812-8340

F (212) 812-8390

pfallon@lockelord.com

NYC:1003465/00167:82358v1